

FWP COMMISSION AGENDA ITEM COVER SHEET

Meeting Date: August 31, 2010 conference call

Agenda Item: Mitchell Slough Waterfowl Hunting Agreement with Double Fork Ranch

Division: Department Mgmt./ Region Two

Action Needed:

☒ **Approval of Proposed (Tentative) Rule**

☐ **Approval of Final Rule/Action**

☐ **Endorse Course of Action**

☐ **None - information only**

Time Needed on Agenda for this Presentation: 15 Minutes

Background: Mitchell Slough has been determined to be a public waterway and open to legal hunting and fishing activities. However, due to the complexities of a narrow stream running through private land, waterfowl hunting has the potential to generate disagreements between hunters and landowners by shooting ducks and geese that land on private lands and not in the narrow slough. The FWP commission directed the department to investigate if a better situation could be created through negotiations with the landowners following a petition from John and Kathy Lewis to close their property to waterfowl hunting. FWP initiated discussions with landowners and sportsmen to see what mechanism might be developed to make a challenging situation better. As a result, a new hunting access agreement has been developed. It would designate a specific area where all waterfowl hunting could occur, with the ability to retrieve harvested waterfowl regardless of where they fall on the surrounding private land. A quality blind would be installed by the landowner and available for the public, through Block Management, to be used exclusively by the public. In return, the slough through the Double Fork Ranch property would not be open to the public unless they have written permission from the Ranch.

Public Involvement Process & Results: Four public meetings were held to determine which ranches might be interested in participating in this project. The only ranch was the Double Fork. There are some smaller private landowners who own land along the slough who are interested in participating at some point. There have been several newspaper articles in Ravalli County papers that discussed the approach. In addition, we invited the Ravalli County Fish and Wildlife Association and the Missoula Hellgate Hunters and Anglers to go and view the proposed site for their suggestions. As a result, we received a letter from each Club supporting the agreement.

Alternatives and Analysis: The current hunting situation can work, but has the ability to create animosity between waterfowl hunters and the landowners. The FWP Commission directed the department to find a way to keep waterfowl hunting open, but address the concerns of the landowners.

Agency Recommendation & Rationale: The Department recommends that we try this agreement for a year to see if it meets the needs of waterfowl hunters and the landowners. We hope the agreement can be extended to other places along the slough to provide "better" public access for waterfowl hunting.

Proposed Motion: I move the Commission adopt the Access Agreement that would provide full public access for waterfowl hunting at the proposed location and in turn, access would be by written permission only along the Mitchell Slough where it runs through the remainder of the Double Fork Ranch.